REMARKS

Applicants cancel claims 1-11 and add new claim 12 to clarify the features of the invention. Applicants refer to Figs. 1-6 and their corresponding description in the specification for exemplary embodiments of and support for the claimed invention. No new matter has been added.

Applicants respectfully request that the Examiner consider the Information Disclosure Statement filed on October 21, 2005 for this application.

Claims 1-2, 5, and 8-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,550,805 to Takatori et al. in view of U.S. Patent Application Publication No. 2002/0009091 to Taniguchi et al.; claims 3-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takatori et al. in view of Taniguchi et al., and further in view of U.S. Patent No. 6,256,292 to Ellis et al.; claims 6-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Takatori et al. in view of Ellis et al.; and claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Takatori et al. in view of U.S. Patent No. 6,735,171 to Takeguchi. Applicants submit new claim 12 to more clearly recite the features of the invention, and respectfully traverse the rejections.

The Examiner relied upon Takatori et al. as a principal reference that allegedly discloses the claimed switching technique. The Examiner relied upon Taniguchi et al. as a combining reference to merely address the claimed switching control in a "bidirectional line-switched ring network." And the Examiner relied upon Ellis et al. as a combining reference to merely address the claimed switching request priority.

The cited portions of Takatori et al. relied upon by the Examiner merely include description of using the SF-R (signal fail (ring)) request to loop back traffic away from failure in a mesh network.

Thus, even assuming, arguendo, that it would have been obvious to combine the cited references at the time the claimed invention was made, such a combination would still have failed to disclose or suggest,

> "[a] method for controlling switching in a bidirectional line-switched ring network configured with a plurality of optical fibers and a plurality of nodes where a switch request is transferred by using only K bytes,
>
> wherein
>
> (a) under a first state where a first node receives as input an LP-S (lockout of protection (span)) command and a second node adjacent to the first node receives the switch request from the first node via the optical fibers, said method comprises the steps of:
>
> i) when the second node detects a failure on a line over which the second node receives a signal from the first node, and receives the switch request but cannot differentiate—by the K bytes therein—whether the switch request contains the LP-S command or an SF-P (signal fail (protection)) command, the second node transmitting a ring switch request to one or more other of the plurality of nodes; and
>
> ii) each of the one or more other nodes that receives the ring switch request placing a protection channel of itself in a K byte pass-through state allowing only the K bytes to pass therethrough, and
>
> wherein
>
> (b) under a second state where the first node detects a failure in a receiving protection channel from the adjacent second node and the second node receives the switch request from the first node via the optical fibers, said method comprises steps i) and ii) and further comprises the steps of:
>
> iii) the first node transmitting the ring switch request to the one or more other nodes after receiving the ring switch request from the second node;
>
> iv) each of the one or more other nodes that receives the ring switch request placing the protection channel of

itself in a full pass-through state to connect one span on one side and another span on another side thereof;

v) the second node, after receiving the ring switch request from the first node, executing a ring switch and transmitting the ring switch request; and

vi) the first node executing the ring switch after receiving the ring switch request from the second node," as recited in claim 12.

Accordingly, Applicants respectfully submit that claim 12 is patentable over the cited references, separately and in combination, for at least the foregoing reasons.

The above statements on the disclosure in the cited references represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the respective reference that provide the basis for a view contrary to any of the above-stated opinions.

Applicants appreciate the Examiner's implicit finding that the additional references made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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